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-and-

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KERZNER INTERNATIONAL LIMITED, )  
and KERZNER INTERNATIONAL )  
RESORTS, INC., )

Plaintiffs, )

v. )

MONARCH CASINO & RESORT, INC., )  
and GOLDEN ROAD MOTOR INN, INC. )

Defendants. )

MONARCH CASINO & RESORT, INC., )  
and GOLDEN ROAD MOTOR INN, INC., )

Counterclaimants, )

v. )

KERZNER INTERNATIONAL LIMITED, )  
and KERZNER INTERNATIONAL )  
RESORTS, INC. )

Counterdefendants. )

Case No.: 3:06-cv-00232-ECR-RAM

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR  
SUBMISSION OF  
JOINT PRETRIAL ORDER**

**First Request**

**IT IS HEREBY STIPULATED AND AGREED** by and between counsel for Plaintiffs/Counterdefendants Kerzner International Limited and Kerzner International Resorts, Inc (“Kerzner”) and counsel for Defendants/Counterclaimants Monarch Casino & Resort, Inc. and Golden Road Motor Inn, Inc. (“Monarch”) as follows:

WHEREAS, in two Orders dated December 14, 2009, and entered on December 15, 2009 (Docket Nos. 428 and 429), the Court, among other things, granted in part and denied in part Kerzner’s motion for partial summary judgment, denied six of Monarch’s motions for summary judgment, and granted in part and denied in part Monarch’s two remaining motions for summary judgment;

WHEREAS, pursuant to this Court’s March 13, 2009 Scheduling Order, the parties’ deadline to submit their Joint Pretrial Order is thirty days from the date the Court entered its Orders on dispositive motions (Docket No. 276), or January 14, 2010;

WHEREAS, on December 28, 2009, Kerzner filed a Request for (1) Certification of the December 14 Orders for Interlocutory Appeal and (2) a Stay Pending Appeal (Docket Nos. 430 and 431) (the “Request for Certification and Stay”), which request is pending before the Court;

WHEREAS, Monarch has filed an opposition to the Request for Certification and Stay;

WHEREAS, counsel for Kerzner and counsel for Monarch have conferred and agreed that in light of the timing of the Court’s rulings and the pendency of Kerzner’s Request for Certification and Stay, that an extension of the current deadline for filing a Joint Pretrial Order is appropriate;

WHEREAS, good cause exists for the extension to submit the Joint Pretrial Order because: (a) such extension will create efficiencies for the Court as it will allow additional time for the parties to submit an appropriate Joint Pretrial Order; (b) such an extension will permit the parties to engage in the all of the activities required by the Local Rules in connection with Pretrial Orders; and (c) no trial date has been scheduled, thus such an extension will not prejudice any party or interfere with the Court's calendar; and

WHEREAS, this is the first request for an extension of the effected deadline, outside of extensions made in conjunction with earlier modifications of the Discovery Plan and Scheduling Order;

NOW THEREFORE, in consideration of the foregoing, the parties have agreed as follows:

1. The current deadline for the parties to submit their Joint Pretrial Order is adjourned;
2. Should the Plaintiffs' Request for Certification and Stay be granted, the deadline will remain adjourned pending return of the case from the Ninth Circuit;
3. Should the Plaintiff's Request for Certification be granted and the Motion for Stay denied, then the deadline will be set for two weeks following such denial, without prejudice to the parties, or any of them, to seek further extension of such date in order to complete the steps necessary for the Joint Pretrial Order; and

4. Should the Plaintiffs' Request for Certification and Stay be denied, the deadline will be set for two weeks following such denial, without prejudice to the parties, or any of them, to seek further extension of such date in order to complete the steps necessary for the Joint Pretrial Order.

Dated this the 13<sup>th</sup> of January, 2010.

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*Attorneys for Defendants*

**ORDER**

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

Dated: \_ January 13, 2010